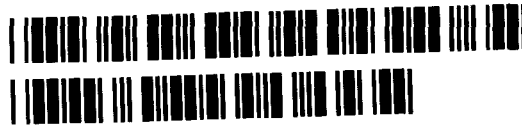


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10-CV-01683-ORD

5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 TIMOTHY MITCHELL,

8 Petitioner,

9 v.

10 UNITED STATES OF AMERICA,

11 Respondent.

Case No. C10-1683-JLR
CR08-213-JLR

ORDER OF DISMISSAL

13 The Court, after careful consideration of petitioner's 28 U.S.C. § 2255 motion for writ
14 of habeas corpus, the Report and Recommendation of the Honorable James P. Donohue, ^{Petitioner's Objections to the R&R} the
15 governing authorities and the balance of the record, does hereby find and ORDER:

(Oct 22)

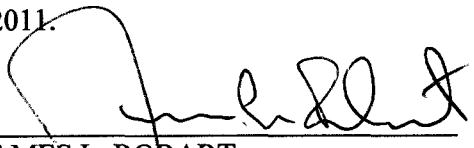
16 (1) The Court adopts the Report and Recommendation.

17 (2) Petitioner's § 2255 motion is DENIED and this case is DISMISSED with
18 prejudice.

19 (3) A certificate of appealability is DENIED with respect to the ineffective
20 assistance of counsel claims asserted by petitioner in his § 2255 motion.

21 (4) The Clerk is directed to send copies of this Order to petitioner, counsel for
22 respondent, and Judge Donohue.

23 DATED this 13th day of September, 2011.

24 
25 JAMES L. ROBART
26 United States District Judge